

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-262

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, DIRECTING THE CITY ATTORNEY TO JOIN IN THE FILING OF A BRIEF AT THE FLORIDA SUPREME COURT SUPPORTING THE PLACEMENT ON THE BALLOT OF THE INITIATIVE PETITION ENTITLED, "PROHIBITS POSSESSION OF DEFINED ASSAULT WEAPONS," AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ban Assault Weapons NOW has proposed an amendment to the Florida Constitution that would prohibit the possession of semiautomatic rifles and shotguns capable of holding more than ten (10) rounds of ammunition at once, either in a fixed or detachable magazine, with certain exceptions ("Proposed Constitutional Amendment"); and

WHEREAS, Ban Assault Weapons NOW has met the registration, petition form submission, and signature criteria set forth in Section 15.21, F.S.; and

WHEREAS, on June 26, 2019, the Attorney General of the State of Florida requested an advisory opinion from the Florida Supreme Court as to the validity of the initiative petition and requested the opportunity to present argument in opposition to the placement of the Proposed Constitutional Amendment on a ballot; and

WHEREAS, the Attorney General argued that the title and summary of the Proposed Constitutional Amendment should not be submitted to Florida voters because the title and summary fail to inform voters of the chief purpose of the proposed amendment and are affirmatively misleading; and

WHEREAS, the City Commission wishes to oppose the position taken by the Attorney General and supports the placement of the Proposed Constitutional Amendment on a ballot so that the citizens of the State of Florida may have the opportunity to vote for or against the Proposed Constitutional Amendment and supports its adoption; and

WHEREAS, on July 29, 2019, the Florida Supreme Court opened Case No. SC 19-1266 in response to the Attorney General's request for advisory opinion; and

WHEREAS, the City Commission wishes to sign on to the brief, in Case No. SC 19-1266, supporting the placement of the Proposed Constitutional Amendment on a ballot; and

WHEREAS, the City of Coral Gables encourages other local governments to join in the filing of the brief;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission hereby directs the City Attorney to join in the filing of a brief at the Florida Supreme Court, in Case No. SC19-1266, supporting the placement of the Proposed Constitutional Amendment on the ballot.

SECTION 3. That the City Commission invites and urges other local governments to join the brief and coordinate their efforts.

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF AUGUST, A.D., 2019.

(Moved: Keon / Seconded: Mena)
(Yeas: Mena, Keon, Valdes-Fauli)
(Majority (3-2) Vote)
(Nays: Lago, Fors., Jr.)
(Non-Agenda Item)

APPROVED:



RAÚL VALDÉS-FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY